

REMARKS

Claims 1-3 were filed in the case; Applicant herewith amends claims 1-3 and adds new claims 4-17. The amendments merely clarify the claims. Support for the new claims may be found generally throughout the specification and the original claims as filed in this case and in the parent case, and they add no new matter. Minor typographical errors are corrected. It is believed that all new claims fall within the species recently elected.

In an office action in the parent application, claim 1 was rejected as allegedly obvious over Sugishita US 6,260,348. In presenting currently amended claim 1 (a mere clarification of claim 1 as originally filed in the parent) in this divisional case, applicant expressly traverses this ground of rejection. First, Sugishita issued July 17, 2001, more than nine months after the filing date of the priority document in this case, October 2, 2000. Thus Sugishita could only be a 102e reference (not 102a or b), and as such is not a proper 103a reference, since 103a requires that the obviousness occur to the person of skill in the art "at the time the invention was made", which in this case was October 2, 2000. But Sugishita did not issue until 2001 and therefore was not available to the hypothetical person skilled in the art in 2000 when the invention was made. Sugishita is therefore not an appropriate 103a reference, and Applicant requests it be withdrawn; Applicant therefore also believes that original claim 1 is patentable over the art of record.

Even if that were not so, and Sugishita is deemed an appropriate 103a reference, which Applicant does not hereby concede, Sugishita does not teach or suggest all the limitations of currently amended claim 1. Claim 1 requires a turbine engine system that has a compressor stage that has both low and high pressure compressors and a turbine stage that has both high and low pressure turbines, and requires that the exhaust gas output come expressly from the high pressure turbine and flow to the regenerator before returning expressly to the low pressure turbine of the same turbine stage (see Figure 1). Sugishita teaches only a simple single compressor and a single output turbine in the main engine, and a second output turbine in the bottoming cycle. This bottoming cycle turbine is not the low pressure turbine that is required of the limitations of claim 1. Claim 1 therefore does not read upon Sugishita, and no combination of the art of record

suggests or teaches the combined limitations of claim 1; claim 1 is therefore believed to be distinguished over the cited art and therefore allowable.

Claim 2 requires a feedback control system as an intermediate stage between the high pressure turbine and the low pressure turbine, whereby the exhaust gas output from the high pressure turbine stage to the regenerator flows through the feedback control. Sugishita does not teach or disclose having both a high and low pressure turbine in the same turbine stage, and the split in the tubing near reformer 13 is not any kind of a feedback control; it is a mere branch in the tubing. Sugishita actually teaches that exhaust gases flow both through the reformer 13 and through bottoming turbine 7 - there is no control option here, no feedback - just a branch in the tubing. There is no means to control sending exhaust gas to the reformer or to the low pressure turbine, as the Examiner suggests; in Sugishita, the exhaust gas always flows to both the reformer and the bottoming turbine. Claim 2 therefore does not read upon Sugishita, and no combination of the art of record suggests or teaches the combined limitations of claim 2; claim 2 is therefore believed to be distinguished over the cited art and therefore allowable.

Applicant respectfully requests entry of the new claims and early favorable action on all claims in the case, and that the Examiner telephone Applicant's attorney, Patrick Dwyer, at (206) 343-7074, if there are any concerns.

Respectfully submitted,



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